

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

MONDAY, THE THIRTEENTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and

THE HON'BLE MR JUSTICE C.V.RAMULU

WRIT APPEAL NO : 1964 of 2004

(Writ Appeal under Clause 15 of the Letters Patent against the Order dated
07/01/2004 in WP NO : 20851 OF 2003 on the file of the High Court.)

Between:

1. Guntur Pattana Rajaka Youth Mobile Laundry and Dry
Cleaners Welfare Association , Pichkal Gunta Tank,
Registered Body (Regd. Society No. 404/1993), rep. by its
President Sri Y. Venkata Ramana Murthy.
- 2 Y. Venkata Ramana Murthy, S/o Y. Raghavulu,
R/o H.No. 25-1-116, Agraharam, Addappavari Veedhi,
Guntur, Guntur District.

..... APPELLANTS

AND

1. The District Collector, Guntur District, Guntur.
- 2 The Revenue Divisional Officer, Guntur District, Guntur.
- 3 The Mandal Revenue Officer, Guntur Mandal, Guntur.
- 4 The Department of Backward Classes, Govt. of A.P.

rep. by its Commissioner, Telugu Samkshema Bhavan,
Masab Tank, Hyderabad.

5 Vijayawada, Guntur, Tenali, Mangalagiri Urban

Development Authority, rep. by its Vice Chairman,
Vijayawada, Krishna District.

6 Guntur Municipal Corporation, Guntur Town, Guntur.

.....RESPONDENTS

For the Appellants: MR. V.HARI HARAN, Advocate.

For Respondent Nos.1 to 4: GP FOR REVENUE

For Respondent No.5: Mr. P.M. Gopal Rao, Standing Counsel.

For Respondent No. 6: Mr. T.S. Venkataramana, Standing Counsel.

The Court made the following Judgment: (per Sri B. Sudershan Reddy, J)

The order of the learned single Judge does not require our interference. Even at this stage, the appellants have not made available any material evidencing the so-called possession and the rights, if any, conferred upon them by any competent authority

permitting them to use and enjoy the land in question. In such perturbed view of the matter, we do not find any reason to disbelieve the averments made in the counter affidavit filed by the 5th respondent – Urban Development Authority that pursuant to the allotment made by the District Collector on 26-7-1987 it had undertaken the development of the land in question. Mere fact that earlier the appellant - association was using a portion of the land as dhobighat itself would not confer any right, title and interest in the land.

Sri V. Hariharan, learned counsel for the appellants, however, urged that what is made available to respondent - Urban Development Authority by the District Collector on 26-7-1987 is not this land but some other land.

We do not find any merit in the submission for the simple reason that the appellants herein have not made available any document in their favour under which they claim their right to enjoy the land in question.

This Order shall not preclude the authorities to consider the representations, if any, already made by the appellants herein and pending consideration before the authorities pursuant to the earlier directions issued by this Court in W.P No. 24121 of 1997.

The Writ Appeal fails and shall accordingly stand dismissed.

(B. Sudershan Reddy, J)

13-12-2004

(C.V. Ramulu, J)

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To

1. The District Collector, Guntur District, Guntur.
- 2 The Revenue Divisional Officer, Guntur District, Guntur.
- 3 The Mandal Revenue Officer, Guntur Mandal, Guntur.
- 4 The Commissioner, The Department of Backward Classes,

Govt. of A.P. Telugu Samkshema Bhavan,
Masab Tank, Hyderabad.

5 The Vice Chairman, Vijayawada, Guntur, Tenali,
Mangalagiri Urban Development Authority,
Vijayawada, Krishna District.

6 Guntur Municipal Corporation, Guntur Town, Guntur.

7. Two CCs to the Government Pleader for Revenue, High
Court of Andhra Pradesh, Hyderabad (OUT).

8 Two CD copies.